




pursuant to a motion under Federal Rule of Civil Procedure 60(b), *see, e.g., Ochoa Canales v. Quarterman*, 507 F.3d 884 (5th Cir. 2007) – the Court DENIES a COA. The Court adopts and incorporates by reference the Magistrate Judge’s Findings, Conclusions, and Recommendation filed in this case in support of its finding that Petitioner has failed to show that reasonable jurists would find “it debatable whether the petition [currently] states a valid claim of the denial of a constitutional right” and “debatable whether [this Court] was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

In the event that Petitioner will file a notice of appeal, the Court notes that he shall either pay the appellate filing fee of \$505.00 or move for leave to proceed *in forma pauperis* on appeal.

SO ORDERED this 23<sup>rd</sup> day of February, 2018.

  
DAVID C. GODBEY  
UNITED STATES DISTRICT JUDGE